

LABOR SERVICES DIVISION[875]

Notice of Intended Action

Proposing rule making related to inspections of boilers and pressure vessels and providing an opportunity for public comment

The Boiler and Pressure Vessel Board hereby proposes to amend Chapter 90, “Administration of the Boiler and Pressure Vessel Program,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 89.14.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 89.

Purpose and Summary

Items 1 and 2 propose to rescind the current fee language and adopt new fee language for non-routine scheduling requested by the owner or user of a boiler or pressure vessel. Item 4 updates phone numbers for reporting explosions, injuries, and related incidents.

Fiscal Impact

Since requests for inspections outside the normal schedule are not common, any fiscal impact on the Boiler and Pressure Vessel Safety Fund should be minimal.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 875—Chapter 81.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Board no later than 4:30 p.m. on August 20, 2019. Comments should be directed to:

Kathleen Uehling
Division of Labor Services
150 Des Moines Street
Des Moines, Iowa 50319-0209
Email: kathleen.uehling@iwd.iowa.gov

Public Hearing

If requested, a public hearing at which persons may present their views orally or in writing will be held as follows:

August 20, 2019
9 a.m.

150 Des Moines St.
Des Moines, Iowa

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Board and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Rescind paragraph **90.7(3)“e”** and adopt the following **new** paragraph in lieu thereof:

e. An additional fee will be charged if, upon the request of an owner or user, the labor commissioner agrees to any non-routine schedule for an inspection outside of normal business hours, a special inspection, or a site visit. The additional fee will be calculated at a rate of \$200 per hour, including travel time, with a minimum charge of \$400.

ITEM 2. Rescind paragraph **90.7(3)“f.”**

ITEM 3. Reletter paragraph **90.7(3)“g”** as **90.7(3)“f.”**

ITEM 4. Amend paragraph **90.11(3)“c”** as follows:

c. Incident reports shall be made by calling ~~(515)281-3647~~ (515)725-5609 or ~~(515)281-6533~~ (515)725-5610. If the incident occurs during normal division operating hours, notification shall occur before close of business on that day. If the incident occurs when the division office is closed, the notification shall occur no later than close of business on the next division business day. Division hours are 8 a.m. to 4:30 p.m., Monday through Friday, except state holidays.